

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31390 of 2020**

Arising Out of PS. Case No.-636 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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ANJANI KUMAR SINGH @ MANTU SINGH Son of Late Lal Babu Singh
@ Babu Lal Singh Resident of Village- Ajagari, P.S.- Banjariya, District- East
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 23-12-2020 The present petition has been taken up for

consideration through the mode of Video Conferencing in view

of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri

Ashok Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Motihari Town PS case no. 636 of 2018

registered for the offences punishable under Sections 420, 467,

468, 471/34 of Indian Penal Code.

The allegation is regarding the accused Arun

Singh having sold the land in question in favour of the father of

the informant after taking sale consideration amounting to a sum

fo Rs. 4,95,000/-, whereafter he had executed 11 Sale deeds on



25.11.2001 in favour of the family members of the informant as also had given possession of the land in question, however at the time of acceptance of the execution of the Sale deeds, the said Arun Singh had fled away from the registry office. It is further alleged that subsequently, the said Arun Singh and his brother i.e. the petitioner herein had agreed to sell another piece of land in favour of the informant and thus, three sale deeds were executed jointly in between them in between 17.12.2016 to 13.07.2018. The informant has further alleged that the said Arun Singh and the petitioner herein had executed three sale deeds on 20.08.2018 with a view to cheat and grab the land purchased by the informant, by selling the said land in question and executing three sale deeds in favour of other persons fraudulently.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that a bare perusal of the allegation levelled by the informant would show that the dispute in question is purely civil in nature, hence the informant would be well-advised to approach the competent court having civil jurisdiction.

Per contra, the learned APP for the State has



vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the allegations levelled by the informant are in the nature of civil dispute, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town PS case no. 636 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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